



3673

TRANSMITTAL LETTER			Case No. 33/759
Serial No. 09/512,894	Filing Date February 24, 2000	Examiner G. Hartmann	Group Art Unit 3673
Inventor(s) Michael H. Oberth et al.			
Title of Invention HIGHWAY CRASH CUSHION AND COMPONENTS THEREOF			

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Response To Notice of Non-Compliant Amendment.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- ☐ Petition for a \_\_\_\_\_ month extension of time.
- ☐ No additional fee is required.
- ☐ The fee has been calculated as shown below:

RECEIVED  
JAN 18 2002  
GROUP 3600

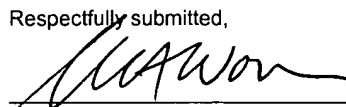
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity	
Rate	Add'l Fee
x \$9=	
x 40=	
+\$135=	
Total add'l fee	\$

Other Than Small Entity	
Rate	Add'l Fee
x \$18=	
x \$80=	
+\$270=	
Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

  
William A. Webb  
Registration No. 28,277  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on 12-18-01

Date: 12-18-01 Signature: 

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Washington, D.C. 20231

on 12-18-01

Date of Deposit

William A. Webb

Name of applicant, assignee or  
Registered Representative

Signature

12-18-01

Date of Signature



#14  
Response  
1/22/02

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GROUP 3600

Our Case No. 33/759

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Michael H. Oberth et al.

Serial No. 09/512,894

Filing Date: February 24, 2000

For HIGHWAY CRASH CUSHION AND  
COMPONENTS THEREOF

Examiner: G. Hartmann

Group Art Unit No. 3673

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner for Patents  
Washington, D.C. 20231

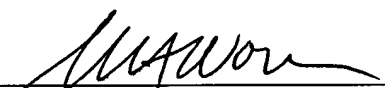
Dear Sir:

Applicant requests reconsideration of the Notice of Non-Compliant Amendment dated December 5, 2001. This notice indicated that the Amendment did not include a clean version of the amended claims pursuant to 37 C.F.R. §1.21(c)(1)(i). Applicant disagrees, because this application is a reissue application, and Applicant submits that amendments in a reissue application are governed by 37 C.F.R. §1.173(b)(2), which clearly states that each changed patent claim and each added claim must include markings pursuant to paragraph (d) of that section.

Section (d) of the relevant section requires that matter to be added by reissue must be underlined. The underlined claims presented in the opening pages of the amendment of November 26, 2001 thus are a clean version of the amended claims, as appropriate for a reissue application.

Please telephone the undersigned attorney if any questions regarding the November 26, 2001 amendment remain, or if any further action is required to ensure that this amendment is entered.

Respectfully submitted,

  
\_\_\_\_\_  
William A. Webb  
Registration No. 28,277  
Attorney for Applicant

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